

REMARKS

Claims 8 and 10-13 are pending and stand rejected under 35 U.S.C. § 103(a), as being unpatentable over US 2005/0053861 A1 (“Yoneda”) in view of US 4,814,244 alone or, as to claim 11, in further view of US 4,954,218.

Applicants previously filed a declaration to disqualify Yoneda. According to the Advisory Action, the declaration is unpersuasive because “1,2-dimethylimidazole (the specie disclosed in Yoneda) would not have been obvious in view of 4-dimethylaminopyridine (the specie shown in Exhibit B [of Applicants’ declaration].” In order to advance prosecution and without conceding as to the correctness of the Advisory Action, applicants have amended claim 8 whereby the ‘room temperature solid base’ is now limited to N, N-dimethylaminopyridine.

Applicants submit that the amendment of claim 8 is supported by the specification as filed, see, e.g., Para 0044 and 0082 – 0089, and places the claims in better form for consideration on appeal, and therefore request entry thereof. Applicants further submit that as amended, claim 8 is allowable. Applicants request withdrawal of the present rejections and allowance of claim 8 as well as claims 10-13 which depend from claim 8.

This paper is accompanied by petition and fee for a one month extension. No other fees are believed to be due in connection with this paper, but if any such fee is due, please charge any such fee to the deposit account No. 09-0458.

Respectfully submitted,

/Katherine S. Brown/

Katherine S. Brown
Attorney for Applicants
Registration No. 54,742

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INTERNATIONAL BUSINESS MACHINE CORPORATION

Intellectual Property Law Department, East Fishkill
2070 Route 52, Bldg-321, Zip-482
Hopewell Junction, NY 12533
Tel: (845) 894-6919
Fax: (845) 892-6363